

each phase of construction that complies with standards to be adopted for facilities completion and service availability; (3) a description of the geographic service area to be covered (for both the vehicular and pedestrian-based systems); and (4) an estimate of the total costs involved. This information will enhance the Commission's ability to enforce policies concerning prompt completion of construction and the offering of service to a meaningful population in the licensed service area. Including such projections in the application will underscore the seriousness of the proposal set forth by the applicant.

The Commission should reject mass-produced engineering proposals. As many parties have suggested, the Commission should require technical showings to be submitted as part of an applicant's initial filing.¹¹⁰ Vast numbers of mass-produced, technically identical engineering exhibits were submitted in the cellular RSA lotteries by speculators who purchased them "off the shelf" from application mills. Accepting mass-marketed engineering exhibits promotes speculation by allowing the preparers to divide the costs of engineering among a large number of applicants. This would undermine the effectiveness of the PCS licensing process.

The PCS rules should specify that proposed systems must be based on engineering prepared solely for that applicant. Applications containing identical engineering should be dismissed (in the absence of a demonstration that one applicant improperly copied the engineering contained in another application). To

¹¹⁰ See, e.g., Ameritech at 36-39; Associated PCN Co. at 15; Centel at 22; Century Cellunet at 14; McCaw at 38; USTA at 27-28; and UTC at 35-36.

enforce this requirement, the Commission should require certification, under penalty of perjury, that the engineer who prepared the exhibit did not authorize the material to be used in any other filing for any other applicant.

Applicants should demonstrate reasonable assurances of site availability.

The Commission currently requires applicants for new or relocated facilities in a broad range of services to have "reasonable assurances" of the availability of proposed sites.¹¹¹ This standard is well known to the Commission and to potential applicants. It mandates that applicants have some basis for believing that a proposed location will be available for the location of a transmitter or other equipment. As such, it obligates the applicant to undertake some preparatory work in order to complete its proposal. PCS applicants should similarly be required to demonstrate reasonable assurance of access to sites as described in their applications.

The Commission should prohibit interests in multiple applications for the same area. Motorola shares the concerns of many other commenting parties, that absent a multiple ownership prohibition, the PCS licensing process will suffer from exploitative abuse at the hands of speculators seeking only to sell, trade, or transfer their interests for the highest price.¹¹² In order to avoid this result, with

¹¹¹ See, e.g., 47 C.F.R. § 22.15(a).

¹¹² Comments supporting the multiple ownership prohibition were filed by parties including Adelphia at 15-16; Associated PCN Co. at 18-19; Concord Tel. Co. at 5; USTA at 28; and Vanguard at 29.

the concomitant consumption of administrative resources and delay in service to the public, it is important that the Commission's PCS policy incorporate the multiple ownership prohibition in effect for RSA licensing.

* * * *

Motorola wishes to emphasize that the implementation of the safeguards enumerated above is essential to the rapid delivery of PCS to the American public. Although compliance with these obligations will impose costs on PCS applicants, those who are serious about the prompt delivery of new services will recognize the merits of the proposed approach. If these measures are adopted, the Commission will deter speculation, maximizing opportunities for those applicants who possess the requisite technical and financial qualifications, as well as bona fide interest to bring PCS to the marketplace as rapidly and efficiently as possible.

VII. CONCLUSION

Motorola's proposed modifications to the Commission's regulatory framework for PCS are intended to speed the introduction of new offerings consistent with practical engineering realities. Motorola's technical proposals for licensed 2 GHz and 900 MHz services, for example, offer greater system diversity, decreased deployment costs, increased flexibility, expanded potential for sharing, and needed compatibility, without sacrificing administrative convenience or competition. Similarly, Motorola has proposed a comprehensive consortium policy

that will permit rapid and harmonious introduction of a range of new unlicensed 2 GHz devices. These modifications, in conjunction with the spectrum allocations and licensing reforms detailed above, will allow providers to offer business and consumer users the vast benefits of a diverse range of competitive, advanced wireless communications capabilities ubiquitously and promptly.